

EDWARD C. DUCKERS (SBN 242113)  
STOEL RIVES LLP  
111 Sutter Street, Suite 700  
San Francisco, CA 94104  
Telephone: (415) 617-8900  
Facsimile: (415) 676-3000  
E-mail: ecduckers@stoel.com

Attorneys for Defendants David Plummer  
Spencer Plummer and Strategic Opportunity  
Solutions, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GREGORY R. RAIFMAN, individually and as  
Trustee of the RAIFMAN FAMILY  
REVOCABLE TRUST DATED 7/2/03,  
SUSAN RAIFMAN, individually and as  
Trustee of the RAIFMAN FAMILY  
REVOCABLE TRUST DATED 7/2/03, and  
GEKKO HOLDINGS, LLC, an Alaska limited  
liability company, dba GEKKO BREEDING  
AND RACING,

Plaintiffs,

v.

CLASSICSTAR, LLC, a Utah limited liability  
company, CLASSICSTAR FARMS, LLC, a  
Kentucky limited liability company,  
BUFFALO RANCH, a business entity form  
unknown, GEOSTAR CORPORATION, a  
Delaware corporation, S. DAVID PLUMMER,  
SPENCER D. PLUMMER III, TONY  
FERGUSON, THOMAS ROBINSON, JOHN  
PARROT, HANDLER, THAYER &  
DUGGAN, LLC, an Illinois Limited Liability  
Company, THOMAS J. HANDLER,  
KARREN, HENDRIX, STAGG, ALLEN &  
COMPANY, P.C., a Utah professional  
corporation f/k/a KARREN, HENDRIX &  
ASSOCIATES, P.C., a Utah professional  
corporation, TERRY L. GREEN, and DOES 1-  
1000 inclusive,

Defendants.

Case No. C 07-2552 EDL

**RESPONSE OF DAVID PLUMMER,  
SPENCER PLUMMER AND  
STRATEGIC OPPORTUNITY  
SOLUTIONS, LLC, TO MOTION  
TO STAY**

Hearing Date: Tuesday, July 31, 2007  
Hearing Time: 9:00 a.m.  
Courtroom: E, 15th Floor

The Honorable Elizabeth D. Laporte



1 lease agreements between ClassicStar and Buffalo Ranch were initially drafted by attorneys who  
2 represented GeoStar. These were the same attorneys who drafted the documents creating First  
3 Equine Energy Partners, LLC ("FEEP"). At all times GeoStar Equine Energy, Inc., has been the  
4 managing member of FEEP, a corporation of which Tony Ferguson is the president.

5 **PLUMMERS' POSITION WITH REGARD TO THE STAY MOTION**

6 Despite the unwarranted effort of GeoStar/ClassicStar in its motion to shift blame to the  
7 Plummers, the Plummers and Strategic Opportunity Solutions agree that the litigation brought by  
8 mare lease participants that is now pending in several districts is appropriate for MDL treatment.  
9 It would be a waste of scarce of resources to continue litigation in this district while the MDL  
10 Panel reviews ClassicStar's application. Accordingly, the Plummers and Strategic Opportunity  
11 Solutions, LLC, support the Motion for Stay.

12 DATED: July 16, 2007

13 Respectfully submitted:

14 STOEL RIVES LLP

15  
16 By: 

Edward C. Duckers

17 Attorneys for Defendants David Plummer,  
18 Spencer Plummer and Strategic Opportunity  
19 Solutions, LLC  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

I declare that I am over the age of eighteen years and not a party to this action. I am employed in the City and County of Sacramento and my business address is 770 L Street, Suite 800, Sacramento, California 95814.

On July 16, 2007, at Sacramento, California, I served the attached document(s):

**RESPONSE OF DAVID PLUMMER, SPENCER PLUMMER  
AND STRATEGIC OPPORTUNITY SOLUTIONS, LLC, TO  
MOTION TO STAY**

on the following parties:

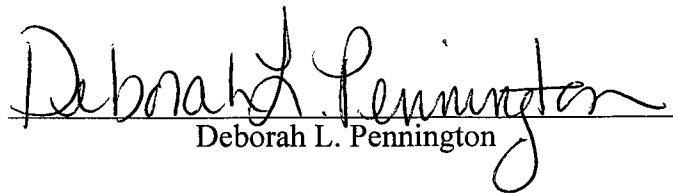
Richard J. Idell, Esq.  
Elizabeth Juliana Rest, Esq.  
Ory Sandel, Esq.  
Idell & Seitel LLP  
465 California Street, Suite 300  
San Francisco, CA 94104

Fred M. Blum, Esq.  
Bassi Martini Edlin & Blum LLP  
351 California Street, Suite 200  
San Francisco, CA 94104

John Somers Blackman, Esq.  
Farbstein & Blackman  
411 Borel Avenue, Suite 425  
San Mateo, CA 94402-3518

- ☒ **BY FIRST CLASS MAIL:** I am readily familiar with my employer's practice for the collection and processing of correspondence for mailing with the U.S. Postal Service. In the ordinary course of business, correspondence would be deposited with the U.S. Postal Service on the day on which it is collected. On the date written above, following ordinary business practices, I placed for collection and mailing at the offices of Stoel Rives LLP, 770 L Street, Suite 800, Sacramento, California 95814, a copy of the attached document in a sealed envelope, with postage fully prepaid, addressed as shown on the service list. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing contained in this declaration.
- ☐ **BY FACSIMILE:** On the date written above, I caused a copy of the attached document to be transmitted to a fax machine maintained by the person on whom it is served at the fax number shown on the service list. That transmission was reported as complete and without error and a transmission report was properly issued by the transmitting fax machine.
- ☐ **BY HAND DELIVERY:** On the date written above, I placed a copy of the attached document in a sealed envelope, with delivery fees paid or provided for, and arranged for it to be delivered by messenger that same day to the office of the addressee, as shown on the service list.
- ☐ **BY OVERNIGHT MAIL:** I am readily familiar with my employer's practice for the collection and processing of correspondence for overnight delivery. In the ordinary course of business, correspondence would be deposited in a box or other facility regularly maintained by the express service carrier or delivered to it by the carrier's authorized courier on the day on which it is collected. On the date written above, following ordinary business practices, I placed for collection and overnight delivery at the offices of Stoel Rives LLP, 770 L Street, Suite 800, Sacramento, California 95814, a copy of the attached document in a sealed envelope, with delivery fees prepaid or provided for, addressed as shown on the service list.
- ☒ **(Federal Courts Only)** I declare that I am employed in the office of a member of this court at whose direction this service was made.

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct and that this document was executed on July 16, 2007, at  
3 Sacramento, California.

4   
5 Deborah L. Pennington  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28